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**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:15-cv-01055-SRB**

Goldwater Institute v. United States Department of Health and
Human Services

Assigned to: Senior Judge Susan R Bolton

Cause: 05:552 Freedom of Information Act

Date Filed: 06/09/2015

Date Terminated: 02/08/2019

Jury Demand: None

Nature of Suit: 895 Other Statutes:

Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Goldwater Institute

represented by **Aditya Dynar**

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V.

Defendant

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Date Filed	#	Docket Text
06/09/2015	<u>1</u>	COMPLAINT. Filing fee received: \$ 400.00, receipt number 0970-11769236 filed by Goldwater Institute. (Submitted by Jonathan Riches) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(ATD) (Entered: 06/09/2015)
06/09/2015	<u>2</u>	Corporate Disclosure Statement by Goldwater Institute. (Submitted by Jonathan Riches) (ATD) (Entered: 06/09/2015)
06/09/2015	<u>3</u>	Filing fee paid, receipt number 0970-11769236. This case has been assigned to the Honorable Susan R. Bolton. All future pleadings or documents should bear the correct case number: CV-15-1055-PHX-SRB. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (ATD) (Entered: 06/09/2015)
06/09/2015	<u>4</u>	SUMMONS Submitted by Goldwater Institute. (Riches, Jonathan) (Entered: 06/09/2015)
06/10/2015	<u>5</u>	Summons Issued as to United States Department of Health and Human Services. (BAS). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 06/10/2015)
06/10/2015	<u>6</u>	ORDER that motions pursuant to Fed. R. Civ. P. 12(b) are discouraged if the defect can be cured by filing an amended pleading. The parties must meet and confer prior to the filing of such motions to determine whether it can be avoided. FURTHER ORDERED that Plaintiff(s) serve a copy of this Order upon Defendant(s) and file a notice of service. See attached Order for complete details. Signed by Judge Susan R Bolton on 6/10/15. (MAW) (Entered: 06/10/2015)

06/15/2015	<u>7</u>	SERVICE EXECUTED filed by Goldwater Institute: Affidavit of Service re: Summons, Complaint, Corporate Disclosure Statement, Order upon U.S. Attorney's Office, District of Arizona on 06/10/2015. (Riches, Jonathan) (Entered: 06/15/2015)
06/17/2015	<u>8</u>	SCHEDULING ORDER: IT IS ORDERED that defendant shall serve an answer or otherwise plead within thirty (30) days after service [see attached Order for details]. Signed by Judge Susan R Bolton on 6/17/15. (MAW) (Entered: 06/17/2015)
07/01/2015	<u>9</u>	SERVICE EXECUTED filed by Goldwater Institute: Certified Mail Receipt re: Summons, Complaint, Corporate Disclosure Statement, 6.10.15 court order upon U.S. Department of Health & Human Services and U.S. Attorney's Office on 06/26/15. (Riches, Jonathan) (Entered: 07/01/2015)
07/01/2015	<u>10</u>	SERVICE EXECUTED filed by Goldwater Institute: Certified Mail Receipt re: Scheduling Order upon U.S. Attorneys Office and U.S. Dept. of Health & Human Services on 06/24/15. (Riches, Jonathan) (Entered: 07/01/2015)
07/01/2015	<u>11</u>	SERVICE EXECUTED filed by Goldwater Institute: Affidavit of Service re: Scheduling Order upon John S. Leonardo, U.S. Attorney, District of Arizona on 06/18/15. (Riches, Jonathan) (Entered: 07/01/2015)
07/10/2015	<u>12</u>	ANSWER to <u>1</u> Complaint by United States Department of Health and Human Services.(Johns, Michael) (Entered: 07/10/2015)
09/04/2015	<u>13</u>	NOTICE of Service of Discovery filed by Goldwater Institute. (Riches, Jonathan) (Entered: 09/04/2015)
09/10/2015	<u>14</u>	MOTION to Substitute Attorney by Goldwater Institute. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Riches, Jonathan) (Entered: 09/10/2015)
09/15/2015	<u>15</u>	ORDER: Application is GRANTED. IT IS FURTHER ORDERED that attorney Courtney Van Cott will henceforth not be an attorney of record in this case and attorney Aditya Dynar will henceforth be an attorney of record in this case. Signed by Judge Susan R Bolton on 09/14/2015. (REK) (Entered: 09/15/2015)
10/02/2015	<u>16</u>	MOTION to Stay <i>Defendant's Response to Plaintiff's Requests for Admissions (Stipulated)</i> by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Johns, Michael) (Entered: 10/02/2015)
10/05/2015	<u>17</u>	ORDER granting <u>16</u> staying the due date to respond to Plaintiffs Request for Admissions until after Defendant files its Motion for Summary Judgment in this action. Signed by Judge Susan R Bolton on 10/5/2015.(TCA) (Entered: 10/05/2015)
10/08/2015	<u>18</u>	STIPULATION TO REVISE SEQUENCE AND TIMING OF DISPOSITIVE MOTIONS by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Johns, Michael) (Entered: 10/08/2015)
10/08/2015	<u>19</u>	ORDER granting <u>18</u> Stipulation : Defendant shall file its dispositive motion on or before November 24, 2015 and Plaintiff shall file its Response and any Cross-Motion on or before January 8, 2016. Signed by Judge Susan R Bolton on 10/8/2015. (TCA) (Entered: 10/08/2015)
11/24/2015	<u>20</u>	MOTION for Summary Judgment by United States Department of Health and Human Services. (Johns, Michael) (Entered: 11/24/2015)
11/24/2015	<u>21</u>	STATEMENT OF FACTS re: <u>20</u> MOTION for Summary Judgment by Defendant United States Department of Health and Human Services. (Attachments: # <u>1</u> Exhibit)(Johns, Michael) (Entered: 11/24/2015)
11/24/2015	<u>22</u>	MEMORANDUM in Support of <u>20</u> MOTION for Summary Judgment by Defendant United States Department of Health and Human Services. (Johns, Michael) (Entered: 11/24/2015)
12/30/2015	<u>23</u>	NOTICE OF ATTORNEY SUBSTITUTION: Peter M. Lantka appearing for United States Department of Health and Human Services. Attorney Michael A Johns terminated. . (Lantka, Peter) (Entered: 12/30/2015)
01/08/2016	<u>24</u>	*RESPONSE to Motion re: <u>20</u> MOTION for Summary Judgment <i>and Cross-MOTION for Summary Judgment</i> filed by Goldwater Institute. (Riches, Jonathan) *Modified to add Cross-Motion on 1/11/2016 (REK). (Entered: 01/08/2016)

		01/08/2016)
01/08/2016	<u>25</u>	MEMORANDUM in Support of <i>Response to Motion for Summary Judgment and Cross Motion for Summary Judgment</i> <u>24</u> Response to Motion for Summary Judgment by Plaintiff Goldwater Institute. (Riches, Jonathan) (Entered: 01/08/2016)
01/08/2016	<u>26</u>	*STATEMENT OF FACTS re: <u>25</u> Memorandum, <u>24</u> Response to Motion for Summary Judgment and Cross-Motion for Summary Judgment by Plaintiff Goldwater Institute. (Attachments: # <u>1</u> Exhibit 1 – 8)(Riches, Jonathan) *Modified to correct text on 1/11/2016 (REK). (Entered: 01/08/2016)
01/08/2016	<u>27</u>	RESPONSE re: <u>21</u> Statement of Facts by Plaintiff Goldwater Institute. (Riches, Jonathan) (Entered: 01/08/2016)
01/13/2016	<u>28</u>	MOTION to Withdraw as Attorney <i>Clint Bolick</i> by Goldwater Institute. (Attachments: # <u>1</u> Text of Proposed Order)(Riches, Jonathan) (Entered: 01/13/2016)
01/14/2016	<u>29</u>	ORDER: The Court having considered Plaintiff's Application for Withdrawal of Clint Bolick as Counsel of Record, and good cause appearing, IT IS ORDERED that the Application is GRANTED. IT IS FURTHER ORDERED that attorney Clint Bolick will henceforth not be an attorney of record in this case. IT IS FURTHER ORDERED directing the Clerk of the Court to make appropriate changes in the Court's CM/ECF System to reflect this change. Signed by Judge Susan R Bolton on 1/14/2016. (REK) (Entered: 01/14/2016)
01/22/2016	<u>30</u>	* MOTION for Extension of Time to File Response/Reply <i>Unopposed Page Consolidated In Support of Motion for Summary Judgment</i> re: <u>20</u> MOTION for Summary Judgment by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) *Modified to add link on 1/25/2016 (REK). (Entered: 01/22/2016)
01/26/2016	<u>31</u>	ORDER: IT IS ORDERED granting in part and denying in part Defendant's Unopposed Motion to File 25–Page Consolidated Response/Reply in Support of Motion for Summary Judgment <u>30</u> . Defendant's Response/Reply may not exceed 11 pages but Defendant may have until February 23, 2016 to file its Response/Reply [see attached Order for details]. Signed by Judge Susan R Bolton on 1/26/16.(MAW) (Entered: 01/26/2016)
02/11/2016	<u>32</u>	Second MOTION for Extension of Time to File Response/Reply <i>In Support of Motion for Summary Judgment By or Before March 15, 2016</i> by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 02/11/2016)
02/12/2016	<u>33</u>	ORDER granting <u>32</u> Motion for Extension of Time to File Response/Reply. The United States' deadline to file a Consolidated Response/Reply in support of its Motion for Summary Judgment is extended to March 15, 2016. Signed by Judge Susan R Bolton on 2/12/16.(MAW) (Entered: 02/12/2016)
03/15/2016	<u>34</u>	* REPLY IN SUPPORT OF DEFENDANT'S <u>20</u> MOTION FOR SUMMARY JUDGMENT AND IN OPPOSITION TO PLAINTIFF'S CROSS MOTION FOR SUMMARY JUDGMENT by Defendant United States Department of Health and Human Services. (Lantka, Peter) * Modified to correct document linkage on 3/16/2016 (LAD). (Entered: 03/15/2016)
03/15/2016	<u>35</u>	* RESPONSE to <u>24</u> Motion for Summary Judgment by Defendant United States Department of Health and Human Services. (Attachments: # <u>1</u> Exhibit A)(Lantka, Peter) * Modified to correct event and add document linkage; attorney noticed on 3/16/2016 (LAD). (Entered: 03/15/2016)
06/16/2016	<u>36</u>	ORDER: IT IS ORDERED denying both Motions for Summary Judgment without prejudice to be resubmitted after the Vaughn index is filed (Docs. <u>21</u> & <u>24</u>). IT IS FURTHER ORDERED directing Defendant to file a Vaughn index within sixty (60) days of the date of this Order [see attached Order for details]. Signed by Judge Susan R Bolton on 6/16/16.(MAW) (Entered: 06/16/2016)
08/12/2016	<u>37</u>	First MOTION for Extension of Time To File Vaughn Index By Seven Days (Unopposed) by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 08/12/2016)

08/17/2016	<u>38</u>	ORDER granting <u>37</u> Motion for Extension of Time. The United States' deadline to file a Vaughn Index is extended to August 22, 2016. Signed by Judge Susan R Bolton on 8/17/16.(MAW) (Entered: 08/17/2016)
08/19/2016	<u>39</u>	*Defendant's Submission of Third DECLARATION of Nancy B Sager with Vaughn Index, MOTION For Leave To File Under Seal The Fourth Declaration Of Nancy B. Sager For In Camera Review by United States Department of Health and Human Services . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Lantka, Peter) *Modified to correct event and docket text on 8/22/2016 (REK). (Entered: 08/19/2016)
09/02/2016	<u>40</u>	RESPONSE in Opposition re: <u>39</u> MOTION to Seal Document filed by Goldwater Institute. (Dynar, Aditya) (Entered: 09/02/2016)
09/08/2016	<u>41</u>	*REPLY to Response to Motion re: <u>39</u> MOTION to Seal Document <i>In Support of Motion for Leave to File Under Seal The Fourth Declaration of Nancy B. Sager for In Camera Review</i> by Defendant United States Department of Health and Human Services. (Lantka, Peter) *Modified to correct event on 9/9/2016 (REK). (Entered: 09/08/2016)
10/12/2016	<u>42</u>	NOTICE of Appearance by Ann Elizabeth Harwood on behalf of United States Department of Health and Human Services. (Harwood, Ann) (Entered: 10/12/2016)
10/21/2016	<u>43</u>	ORDER: IT IS ORDERED denying <u>39</u> Defendant's Motion for Leave to File Under Seal the Fourth Declaration of Nancy B. Sager for In Camera Review [see attached Order for details]. Signed by Judge Susan R Bolton on 10/21/16.(MAW) (Entered: 10/21/2016)
10/27/2016	<u>44</u>	NOTICE re: Notice of Filing by United States Department of Health and Human Services re: <u>43</u> Order on Motion to Seal Document, <u>36</u> Order on Motion for Summary Judgment <i>Fourth Declaration of Nancy B. Sager and Supplemental Vaughn Index</i> . (Attachments: # <u>1</u> Exhibit)(Harwood, Ann) (Entered: 10/27/2016)
10/28/2016	<u>45</u>	NOTICE re: Amended Notice of Filing Fourth Declaration of Nancy B. Sager and Supplemental Vaughn Index by United States Department of Health and Human Services . (Attachments: # <u>1</u> Exhibit)(Harwood, Ann) (Entered: 10/28/2016)
03/20/2017	<u>46</u>	STIPULATION <i>Motion for Renewed Scheduling Order</i> by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 03/20/2017)
03/21/2017	<u>47</u>	ORDER granting <u>46</u> Stipulation for Renewed Scheduling Order. Plaintiff's Opening Brief to be filed by 6/2/2017 [see attached Order for details]. Signed by Judge Susan R Bolton on 3/21/17. (MAW) (Entered: 03/21/2017)
05/25/2017	<u>48</u>	First MOTION for Extension of Time Modify Briefing Schedule (Unopposed) by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 05/25/2017)
05/26/2017	<u>49</u>	ORDER granting <u>48</u> Motion to Modify Briefing Schedule. The following deadlines shall govern the final briefing schedule for filing amended cross-motions for summary judgment, pursuant to this Court's June 16, 2016 Order: Plaintiff's Opening Brief June 19, 2017; Defendant's Response Brief / Cross-Motion August 3, 2017; Plaintiff's Reply in Support of Motion / Response to Cross-Motion August 24, 2017; Defendant's Reply in Support of Cross-Motion September 14, 2017. Signed by Judge Susan R Bolton on 5/26/17.(MAW) (Entered: 05/26/2017)
06/19/2017	<u>50</u>	MOTION for Summary Judgment by Goldwater Institute. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Riches, Jonathan) (Entered: 06/19/2017)
06/19/2017	<u>51</u>	STATEMENT OF FACTS re: <u>50</u> MOTION for Summary Judgment by Plaintiff Goldwater Institute. (Attachments: # <u>1</u> Exhibit Exhibits 1-15)(Riches, Jonathan) (Entered: 06/19/2017)
06/26/2017	<u>52</u>	MINUTE ORDER: Motion Hearing set for 10/2/2017 at 01:30PM before Judge Susan R Bolton as to <u>50</u> MOTION for Summary Judgment. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 06/26/2017)
08/03/2017	<u>53</u>	*MOTION for Summary Judgment (Renewed), RESPONSE to <u>50</u> Motion for Summary Judgment by United States Department of Health and Human Services.

		(Lantka, Peter) *Modified to add response portion on 8/4/2017 (REK). (Entered: 08/03/2017)
08/03/2017	<u>54</u>	STATEMENT OF FACTS re: <u>53</u> MOTION for Summary Judgment <i>Renewed and In Opposition to Plaintiff's Motion for Summary Judgment</i> by Defendant United States Department of Health and Human Services. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit Attachment 1)(Lantka, Peter) (Entered: 08/03/2017)
08/03/2017	<u>55</u>	*STATEMENT OF FACTS of <i>Additional Material Not Genuinely in Dispute and Response to Plaintiff's Separate Statement of Facts, Submitted in Opposition to Plaintiff's Motion for Summary Judgment</i> re: <u>51</u> State of Facts and <u>53</u> Response to Motion for Summary Judgment by Defendant United States Department of Health and Human Services. (Lantka, Peter) *Modified to add document link on 8/4/2017 (REK). (Entered: 08/03/2017)
08/11/2017	56	MINUTE ORDER: On the Court's own Motion, Motion Hearing is re-set from 10/2/2017 to 10/3/2017 at 11:15AM before Judge Susan R Bolton as to <u>50</u> MOTION for Summary Judgment. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 08/11/2017)
08/24/2017	<u>57</u>	RESPONSE to Motion re: <u>53</u> MOTION for Summary Judgment <i>Renewed and In Opposition to Plaintiff's Motion for Summary Judgment</i> filed by Goldwater Institute. (Riches, Jonathan) (Entered: 08/24/2017)
08/24/2017	<u>58</u>	RESPONSE re: <u>54</u> Statement of Facts <i>Not Genuinely in Dispute in Support of Defendant's Renewed Motion for Summary Judgment</i> by Plaintiff Goldwater Institute. (Riches, Jonathan) (Entered: 08/24/2017)
08/24/2017	<u>59</u>	RESPONSE re: <u>55</u> Statement of Facts <i>Not Genuinely in Dispute, Submitted in Opposition to Plaintiff's Motion for Summary Judgment</i> by Plaintiff Goldwater Institute. (Riches, Jonathan) (Entered: 08/24/2017)
08/29/2017	<u>60</u>	STIPULATION <i>To Continue Oral Argument</i> by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 08/29/2017)
08/31/2017	<u>61</u>	ORDER granting <u>60</u> Stipulated Motion to Continue Oral Argument. Oral argument in this matter is rescheduled to Tuesday, October 10, 2017 at 9:00 a.m. Signed by Judge Susan R Bolton on 8/31/17. (MAW) (Entered: 08/31/2017)
09/13/2017	<u>62</u>	*REPLY to Response to Motion re: <u>53</u> MOTION for Summary Judgment <i>Renewed and In Opposition to Plaintiff's Motion for Summary Judgment</i> filed by United States Department of Health and Human Services. (Lantka, Peter) *Modified to correct event on 9/14/2017 (REK). (Entered: 09/13/2017)
10/06/2017	<u>63</u>	NOTICE OF ATTORNEY APPEARANCE: Leslie Cohen appearing for United States Department of Health and Human Services. . (Cohen, Leslie) (Entered: 10/06/2017)
10/10/2017	64	MINUTE ENTRY for proceedings held before Judge Susan R Bolton: Motion Hearing held on 10/10/2017. Argument held. IT IS ORDERED taking under advisement <u>50</u> Motion for Summary Judgment. APPEARANCES: Jonathan Riches and Aditya Dynar for Plaintiff. Leslie Cohen and Peter Lantka for Defendant. (Court Reporter Liz Lemke) Hearing held 9:01 AM to 9:31 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 10/10/2017)
10/23/2017	<u>65</u>	TRANSCRIPT REQUEST by Goldwater Institute for proceedings held on 10/10/2017, Judge Susan R Bolton hearing judge(s). (Riches, Jonathan) (Entered: 10/23/2017)
01/24/2018	<u>66</u>	ORDER: IT IS ORDERED denying both Motions for Summary Judgment without prejudice (Docs. <u>50</u> & <u>53</u>). IT IS FURTHER ORDERED directing Defendant to file a revised, consolidated Vaughn index containing the additional information called for in this Order within thirty (30) days of the date of this Order [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 1/24/18. (MAW) (Entered: 01/24/2018)

02/15/2018	<u>67</u>	First MOTION for Extension of Time Unopposed Motion to Extend Dealine to File Vaughn Index by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 02/15/2018)
02/16/2018	<u>68</u>	ORDER granting <u>67</u> Motion to Extend Time to file a consolidated Vaughn index and that the deadline for Defendant to file its consolidated Vaughn index is extended through March 9, 2018. Signed by Senior Judge Susan R Bolton on 2/16/18. (MAW) (Entered: 02/16/2018)
03/08/2018	<u>69</u>	NOTICE re: of Filing the Sixth Declaration of Nancy B. Sager and Revised, Consolidated Vaughn Index by United States Department of Health and Human Services . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1, Attachment A)(Lantka, Peter) (Entered: 03/08/2018)
03/08/2018	<u>70</u>	Additional Attachments to Main Document re: <u>69</u> Notice (Other) by Defendant United States Department of Health and Human Services. (Lantka, Peter) (Entered: 03/08/2018)
05/01/2018	<u>71</u>	STIPULATION <i>MOTION FOR RENEWED SCHEDULING ORDER</i> by United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Lantka, Peter) (Entered: 05/01/2018)
05/01/2018	<u>72</u>	ORDER granting <u>71</u> Stipulation. The following deadlines shall govern the final briefing schedule for filing amended cross-motions for summary judgment, pursuant to this Court's January 24, 2018 Order: Plaintiff's Opening Brief due 6/29/2018; Defendant's Response Brief / Cross-Motion due 8/29/2018. Signed by Senior Judge Susan R Bolton on 5/1/18. (MAW) (Entered: 05/01/2018)
06/29/2018	<u>73</u>	Third MOTION for Summary Judgment by Goldwater Institute. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Riches, Jonathan) (Entered: 06/29/2018)
06/29/2018	<u>74</u>	MEMORANDUM in Support of <u>73</u> Third MOTION for Summary Judgment by Plaintiff Goldwater Institute. (Riches, Jonathan) (Entered: 06/29/2018)
06/29/2018	<u>75</u>	STATEMENT OF FACTS re: <u>73</u> Third MOTION for Summary Judgment , <u>74</u> Memorandum by Plaintiff Goldwater Institute. (Attachments: # <u>1</u> Exhibit 1-20)(Riches, Jonathan) (Entered: 06/29/2018)
07/02/2018	<u>76</u>	NOTICE TO FILER OF DEFICIENCY re: <u>73</u> Third MOTION for Summary Judgment filed by Goldwater Institute, <u>75</u> Statement of Facts filed by Goldwater Institute, <u>74</u> Memorandum filed by Goldwater Institute. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. No further action is required. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 07/02/2018)
08/29/2018	<u>77</u>	*MOTION for Summary Judgment (Renewed) and RESPONSE in Opposition re: <u>73</u> Third MOTION for Summary Judgment by United States Department of Health and Human Services. (Lantka, Peter) *Modified on 8/30/2018 to correct motion event and to add Response (ATD). (Entered: 08/29/2018)
08/29/2018	<u>78</u>	STATEMENT OF FACTS re: <u>77</u> MOTION for Summary Judgment (Renewed) and Response in Opposition re: <u>73</u> Third MOTION for Summary Judgment by Defendant United States Department of Health and Human Services. (Lantka, Peter) (Entered: 08/29/2018)
09/11/2018	<u>79</u>	RESPONSE re: <u>78</u> Statement of Facts <i>Not Genuinely in Dispute in Support of Renewed Motion for Summary Judgment</i> by Plaintiff Goldwater Institute. (Dynar, Aditya) (Entered: 09/11/2018)
10/16/2018	<u>80</u>	MINUTE ORDER: Motion Hearing set for 10/29/2018 at 10:00 AM before Senior Judge Susan R Bolton as to <u>73</u> Third MOTION for Summary Judgment. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 10/16/2018)
10/18/2018	<u>81</u>	MOTION to Continue oral argument by Goldwater Institute. (Riches, Jonathan) (Entered: 10/18/2018)
10/18/2018	<u>82</u>	Additional Attachments to Main Document re: <u>81</u> MOTION to Continue oral argument <i>Proposed Order</i> by Plaintiff Goldwater Institute. (Riches, Jonathan)

		(Entered: 10/18/2018)
10/19/2018	<u>83</u>	ORDER granting <u>81</u> Motion to Continue Oral Argument and oral argument on the parties' third cross-motions for summary judgment is continued to December 4, 2018, at 10:00 a.m. Signed by Senior Judge Susan R Bolton on 10/19/18. (MAW) (Entered: 10/19/2018)
12/04/2018	84	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Motion Hearing held on 12/4/2018. Argument held. IT IS ORDERED taking under advisement <u>73</u> Motion for Summary Judgment. APPEARANCES: Jonathan Riches and Aditya Dynar for Plaintiff. Peter Lantka for Defendant. (Court Reporter Laurie Adams) Hearing held 10:01 AM to 10:50 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 12/04/2018)
02/08/2019	<u>85</u>	ORDER denying Plaintiff's Third Motion for Summary Judgment (Doc. <u>73</u>) and granting Defendant's Renewed Motion for Summary Judgment (Doc. <u>77</u>). FURTHER ORDERED directing the Clerk to enter judgment in favor of Defendant and against Plaintiff. See document for further details. Signed by Senior Judge Susan R Bolton on 2/8/2019. (RMV) (Entered: 02/08/2019)
02/08/2019	<u>86</u>	CLERK'S JUDGMENT – IT IS ORDERED AND ADJUDGED that, pursuant to the Court's Order filed February 8, 2019, which granted the Motion for Summary Judgment, judgment is entered in favor of defendant and against plaintiff. Plaintiff to take nothing, and the complaint and action are dismissed. (RMV) (Entered: 02/08/2019)